



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII  
901 NORTH 5TH STREET  
KANSAS CITY, KANSAS 66101  
11 MAR 2005

Michael D. Hockley, Esq.  
Spencer Fane Britt & Browne  
1000 Walnut Street, Suite 1400  
Kansas City, Missouri 64106

40331964



Superfund

Dear Mr. Hockley:

Re: West Lake Operable Unit 2  
Remedial Investigation Report & Baseline Risk Assessment

The Environmental Protection Agency (EPA) has reviewed the draft Remedial Investigation Report (June 2000), as updated by the supplemental sampling reports submitted in 2004, and the draft Baseline Risk Assessment (February 2000) for the West Lake Landfill Site Operable Unit (OU) 2 submitted by Herst & Associates, Inc. on behalf of Laidlaw Waste Systems, Inc. We understand that these documents are intended to satisfy the Draft Remedial Investigation (RI) Report deliverable required under the Administrative Order on Consent (AOC). Our comments are enclosed. We believe that resolution of these comments will result in a Final Remedial Investigation Report that the EPA can approve.

At this point, it is appropriate to start thinking about development of the feasibility study. The AOC Statement of Work (SOW) currently requires submission of several preliminary deliverables pertaining to the development of remedial alternatives prior to submission of the Draft Feasibility Study (FS) Report. As we discussed at the January 18, 2005, meeting, the decision to follow the EPA's guidelines on the presumptive remedy for CERCLA municipal landfill sites should result in some commensurate modifications to the SOW. The EPA believes it is appropriate to omit the preliminary deliverables and limit the required deliverables to the draft and final FS reports.

We request a proposed schedule for completion of the remaining tasks under the AOC. In planning the tasks, consider the viability of completing the RI/FS process on a schedule that would put us in position to propose a remedy for OU 2 and OU 1 at the same time, as we discussed at our January 18<sup>th</sup> meeting.

Sincerely,

Daniel R. Wall  
Remedial Project Manager  
Superfund Division

Enclosure

cc: Darrick Steen, MDNR (w/ encl.)  
Ward Herst, Herst & Associates, Inc. (w/ encl.)

General Comments:

1. The purpose and scope should be more explicit on the limits of the investigation and what constitutes the "site". Section 1.2.2 of the RI describes OU-2 as encompassing the remainder of the West Lake site not included in OU-1, which could be construed to include areas not associated with the landfill areas, e.g., the leaking underground storage tank at the asphalt plant.
2. Some of the inferred hydrological pathways for contaminant migration are not made clear. Specifically, the petroleum impacts near monitoring well MW-F2 and the volatile organic compounds in PZ-114-AS are attributed to sources outside the scope of OU 2, but it is not clear from the information provided where the respective sources are located and that they are upgradient from the impacted wells. It would be helpful to show on one of the figures the approximate location of the groundwater divide that is maintained by the active landfill leachate collection system. To what extent do any of the closed landfill areas fall outside the capture zone?
3. As written the exposure assessment in the Baseline Risk Assessment (BRA) limits the plausible receptor scenarios based on the existence of the restrictive covenants that prohibit residential development and groundwater use. It is appropriate for the BRA to rule out exposure scenarios based on reasonably anticipated land use but not based on the existence of use restrictions. That is because the use restrictions are a de facto remedy and the baseline risks are those that would exist if the remedy was not maintained. The Human Health Assessment should be revised accordingly.

Remedial Investigation Report:

4. 2.4.2 Regional Wells, pg. 12 -- What is meant by the nearest drinking water well is "reportedly" located one mile north? Describe the sources of information used to determine what wells exist and update with respect to any nearby wells as appropriate. Provide more specific information about the locations of the nearest wells.
5. 4.2.6 Petroleum Impacts near MW-F2, pg. 51 -- This is not clear on the implied relationship between the impacts near MW-F2 and the LUST. Is the LUST located west of the groundwater divide as would be necessary for it to be upgradient? Some description of the ongoing investigation or corrective action associated with the LUST would be appropriate.

6. Tables 4-7 & 4-8 - We assume GW-S-80, GW-I-50, and GW-300-AS, for example, are shown on the map as S-80, I-50, and PZ-300-AS. In Table 4-7, the unfiltered Gross Alpha and Gross Beta values are  $5.61 \pm 9.5$  and  $53.1 \pm 6.2$  respectively. In Table 2.4 of BRA, the values are  $56.1 \pm 9.5$  and  $53.1 \pm 6.2$  respectively. Based on a check with other tables it appears that the table in the RI may be in error. These levels appear to exceed alluvial background levels in other wells by an order of magnitude and do not appear to be supported by the isotopic results. Some rationale should be provided to account for this.

#### Supplemental Sampling:

7. The Monthly Progress Reports for July and February 2004 describe the results of the supplemental sampling. The reports describe an off-site facility that may be the source of volatile organic compounds found in PZ-114-AS. It would be useful to provide the specific location of the facility and the former catchment system. Its "upgradient" position is presumably dependant on it being located inside the capture zone of the landfill pumping wells, but this relationship is not presented.

8. The reports refer to two supplemental alluvial wells identified as PZ-303-AI and PZ-303-AS. We don't find PZ-303-AI on the maps. Perhaps the intent was to refer to PZ-304-AI and PZ-304-AS?

#### Baseline Risk Assessment:

9. Section 2.2.1, pg. 2-2 -- Figure 3 is cited here but it doesn't seem illustrative of any of any of the discussion points.

10. Section 2.7.5 Water Supply Wells, pg. 2-6 -- More detailed information on nearby wells is should be provided. See comments 3 above.

11. Section 2.7.7.1 Current Land Use, pg. 2-7 -- Here and elsewhere this wording appears, change "precluded" to "prohibited".

12. Section 4.1.5 Potential Human Receptors, pg. 4-5, top of the page -- Should this reference be to the conceptual model in Figure 6?

13. Section 4.1.5 Potential Human Receptors, pg. 4-5 through 4-6 -- Several subsections with the same name and covering similar material are repeated. Clarify the reasoning or consolidate this information.